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PATENT

In re Application of:
Mar Tormo,
Ana Tari,
Gabriel Lopez-Berestein,
Timothy McDonnell.

Group Art Unit: 1635

Examiner: Karen Lacourciere

Atty. Dkt. No.: UTSC:550/DLP

Serial No.: 09/381,747

Filed: September 22, 1999

For: INHIBITION OF BCL-2 PROTEIN
EXPRESSION BY LIPOSOMAL
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CERTIFICATE OF MAILING
37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited
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Washington, D.C. 20231, on the date below:

May 28, 2002
Date

Priya D. Subramony
Priya D. Subramony

DECLARATION OF PRIYA D. SUBRAMONY
UNDER 37 C.F.R. § 1.47

Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Priya D. Subramony, declare that:

1. I am a U.S. permanent resident, residing at 15027 Jacks Pond Road, Austin,
Texas. I am a patent agent with the law firm of Fulbright & Jaworski in Austin, Texas.

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2. Dr. Mar Tormo is a former employee of the MD Anderson Cancer Center, of the University of Texas System, the entity which owns all intellectual property rights of the present invention. Dr. Tormo is a co-inventor of the above-referenced patent application and owes a duty of assignment by virtue of her employment agreement at the University of Texas.

3. In the filing of this patent application, Dr. Tormo executed the Inventors' Oath and Declaration papers on August 30, 1999. However, Dr. Tormo did not initial the change of address information as required. In the subsequent substitute declaration filed Dr. Mar Tormo executed the Inventors' Oath and Declaration papers on November 7, 2000, however this Declaration was deemed defective in the subsequent Office Action as it was missing signatures by the other Inventors. Upon review of the file it appears that on July 29, 2001, Teresa Schultz, an attorney then employed with Fulbright and Jaworski, Austin, Texas, who has since departed, sent another substitute Inventors' Oath and Declaration to Dr. Tormo at her last known address at: Plaza Almansa #1, Valencia 46001, Spain. The file records indicate that no response was received to this.

4. In the normal course of business, Cheryl McCants, Manager Patent Administration at the Office of Technology Development, MD Anderson Cancer Center, University of Texas, Houston, Texas, forwarded to Dr. Tormo, on May 31, 2001, the Assignment, via Airborne Express to her last known address: Plaza Almansa #1, Valencia 46001, Spain. This shipment was returned as undeliverable (**Exhibit A**). Cheryl McCants then obtained another address of Dr. Tormo from a co-inventor of the present Application, Dr. Gabriel Lopez-Berestein, and forwarded to Dr. Tormo the Assignment, on September 13, 2001, via Airborne

Express at: Paseo Valldigna 20, Los Monasterios, Valencia, Espana 46530. This shipment was also returned (also see attached Declaration of Cheryl McCants and **Exhibit B**).

5. Cheryl McCants then obtained a phone number of Dr. Tormo from Dr. Gabriel Lopez-Berestein and tried to contact her without any success (also see attached Declaration of Cheryl McCants).

6. I personally obtained yet another address, a business address, for Dr. Tormo, from another co-inventor of this Application, Dr. Ana Tari, and sent her a copy of the Assignment, on December 11, 2001, via DHL, at: Departamento de Hematologia y Oncologia, Hospital Clinico Universitario de Valencia, Avenida Blasco Ibanez 17, 46010 Valencia, Spain. DHL tracking showed that the parcel was delivered to a C. Gomez, on December 14, 2001 (**Exhibit C**). However, we have had no response from Dr. Tormo so far.

7. We also performed internet searches for Dr. Tormo (attached in **Exhibit D**). A general web search referenced an article published in the journal "Haematologica" in 2001 which also shows Mar Tormo's business address as Department of Hematology, University Hospital, Valencia. A search at the departmental address set forth in section 6 above could not locate her name in the Departamento de Hematologia y Oncologia, Hospital Clinico Universitario de Valencia. In addition, we tried to locate C. Gomez, who signed for the DHL shipment. We could not locate anyone by that name either. However, we found a A. Comes in the same department. We sent an email to A. Comes requesting any information regarding Dr. Mar Tormo. We have not heard back from A. Comes to date.

8. I hereby declare that all statements made herein of my knowledge are true and that all statements made herein on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the U.S. Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

May 28, 2022
DATE

Priya D. Subramony
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